In the claims:

Please amend claim 1 to read as follows:

1.(amended) A recombinant polynucleotide encoding a fusion protein, wherein the fusion protein comprises [comprising]

(a) a single chain antibody comprising the variable region of a light chain of a selected antibody [linked to] and the variable region of the heavy chain of the selected antibody[,];

(b) the signaling domain of human CD28 receptor; and

(c) a transmembrane domain, wherein the transmembrane domain is disposed between the single-chain antibody and the signaling domain. .

Claim 2, line 2, change "to" to --is--.

Claim 4, lines 1-2, delete "a region encoding".

Claim 6, lines 1-2, delete "a region encoding".

REMARKS

This is in response to the Official Action mailed January 27, 2000 for the above-captioned application. Applicants request a three-month extension of time and enclose the appropriate fee.

Reconsideration of the application, as amended, is respectfully requested.

The specification has been amended in view of the Examiner's remarks.

A new title has been provided.

The Examiner maintained the restriction requirement stating in part that "Applicant has provided insufficient evidence to establish why the restriction requirement is improper." Applicants respectfully point out that the burden rests on the Examiner to establish both the distinctness of the invention and that fact that a burden would be involved in considering the claims together. Here, the Examiner has not met this burden, and so Applicants respectfully request that the restriction requirement be withdrawn and that the claims of all Groups be considered. As a minimum, however, the claims of groups I and III should be recombined. The claims which were elected cover a recombinant polynucleotides encoding a